



3-10-04

AF/3623

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ferguson et al.  
Title: SYSTEM AND METHOD OF  
DETERMINING A  
KNOWLEDGE  
MANAGEMENT SOLUTION  
Appl. No.: 09/382,141  
Filing Date: 08/24/1999  
Examiner: Colon, Catherine M.  
Art Unit: 3623  
Atty. Dkt. No.: 026167-0616

<b>CERTIFICATE OF EXPRESS MAILING</b>	
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EV 431597828 US	03/09/04
(Express Mail Label Number)	(Date of Deposit)
Scott D. Anderson (Printed Name)	
 (Signature)	

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Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

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MAR 15 2004

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Sir:

- ☒ [ X ] Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences (2 pages).  
☒ [ X ] Communication (2 pages).

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

3/9/04

By



FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5740  
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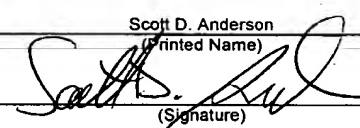
Scott D. Anderson  
Attorney for Applicant  
Registration No. 46,521



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**COMMUNICATION**

Claims 32-75 are pending in the Application. Claims 32, 43, 64, 69, and 70 are independent claims. Claims 33-42 depend from independent Claim 32. Dependent Claims 44-63 depend from independent Claim 43. Dependent Claims 65-68 depend from independent Claim 64. Dependent Claims 71-73 depend from independent Claim 70. Dependent Claims 74 and 75 depend from independent Claim 69.

**Reply and Amendment Under 37 C.F.R. § 1.116**

A Reply and Amendment under 37 C.F.R. § 1.116 was filed on November 10, 2003 in response to a Final Office Action mailed on September 9, 2003, but apparently has not been entered.

### Telephonic Interviews

The Applicants thank the Examiner for conducting a series of brief telephonic interviews on January 20, 2004, February 6, 2004, March 8, 2004, and March 9, 2004, where the representative of the Applicants made inquiries as to the status of the application, for which a Final Office Action was mailed on September 9, 2003. The Applicants were informed that the application was "allowed" by the Examiner on November 25, 2003 (after a Reply and Amendment under 37 C.F.R. § 1.116 was filed on November 10, 2003) and was forwarded for further review (by a "second set of eyes"). The Applicants were informed that the "second set of eyes" review was completed on March 8, 2004, but that no action has been mailed. In order to prevent the Application from going abandoned as of March 9, 2004, the Examiner suggested that the Applicants file a Notice of Appeal.

### Notice of Appeal

At the suggestion of the Examiner, the Applicants have filed a Notice of Appeal From the Examiner To the Board of Patent Appeals and Interferences on March 9, 2004.

\* \* \*

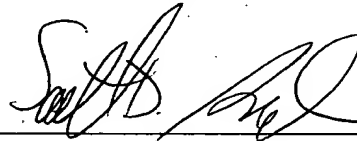
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date

3/9/04

By



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